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राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, मंगलवार, 10 जनवरी, 1956

HIMACHAL PRADESH GOVERNMENT

Home, Gazette & Transport Department

NOTIFICATION

Simla-4, the 9th January, 1956

No. HGT-77-194/55.—The following draft of certain rules which the Government of Himachal Pradesh proposes to make in exercise of the powers conferred by section 20 of the Prize Competitions Act, 1955 (42 of 1955), is hereby published for the information of persons likely to be affected thereby; and notice is hereby given that the draft will be taken into consideration on or after the 25th January, 1956.

The Government of Himachal Pradesh shall consider any objection or suggestion which may be received by it from any person with respect to the draft before the date so specified.

DRAFT-RULES

1. **Short title.**—These rules may be called the Himachal Pradesh Prize Competitions Rules, 1955.

2. Definitions.—In these rules, unless the context otherwise requires—

- (a) "Form" means a form appended to these rules ;
- (b) "Licence" means a licence granted under section 6 of the Act; and
- (c) "the Act" means the Prize Competitions Act, 1955 (42 of 1955)

3. Form and manner of application for licence.—Every application for a licence under sub-section (1) of section 6 of the Act shall be in Form A and shall be either submitted personally, or sent by registered post, by the applicant to the licensing authority.

4. Form and particulars of licence.—(1) Every licence shall be in Form B and shall be subject to the conditions and restrictions therein specified and to the provisions of the Act and these rules.

(2) Every such licence shall be effective throughout the entire State.

5. Period of validity of licence and its renewal.—Every licence shall be valid initially for a period of one year from the date of its issue and shall lapse on the expiry of that period ; but the licensing authority may on application made by the licensee in this behalf in Form A before the expiry of the period of validity of the licence, renew it from time to time for such further period not exceeding one year in each case as may be decided by that authority in its discretion.

6. Fees for grant and renewal of licence.—(1) The fee for every licence shall be—

- (a) Rs. 25 where an entry fee is charged in respect of a prize competition ; and
- (b) Rs. 10 where no such entry fee is charged.

(2) Such fee shall be paid by the applicant into a Government treasury or sub-treasury or in the Reserve Bank of India on Government account or paid in cash or sent by money order to the licensing authority.

(3) The fee for the renewal of a licence shall be one-half of the fee leviable for the grant of the original licence.

(4) No application for the grant or renewal of a licence shall be entertained unless the amount of the fee in each case is paid

or sent as aforesaid provided that if the licence is not granted or renewed, the applicant shall be entitled to a refund of the fee paid by him.

7. Limitation for appeals.—Every appeal to the State Government under section 16 of the Act shall be preferred within a period of thirty days from the date of the decision of the licensing authority.

8. Bar or transfer of licence.—No licensee shall sell or otherwise transfer the licence granted to him or enter into any partnership with any person for the purpose of promoting or conducting a prize competition or prize competitions under such licence.

9. Loss of licence.—When a licence is lost or destroyed, a duplicate copy thereof may be furnished to the licensee on payment of a fee of—

- (a) Rs. 10 for a licence where an entry fee is levied in the prize competition ; and
- (b) Rs. 5 for a licence where no such entry fee is levied.

10. Production of licence on demand.—Every person acting under or holding a licence shall produce the same whenever called upon to do so by the licensing authority or by an officer duly empowered by the licensing authority in this behalf.

11. Entry fee.—(1) Where an entry fee is charged in respect of a prize competition, such fee shall be paid in money only and not in any other manner.

(2) The maximum amount of an entry fee shall not exceed Re. 1 where the total value of the prize or prizes to be offered is rupees one thousand but not less than rupees five hundred ; and in all other cases the maximum amount of an entry fee shall be at the following rates, namely :—

- (a) annas 8 where the total value of the prize or prizes to be offered is less than rupees five hundred but not less than rupees two hundred and fifty ; and
- (b) annas 4 where the total value of the prize or prizes to be offered is less than rupees two hundred and fifty.

12. Maintenance of Register.—Every licensee shall maintain in respect of each prize competition for which a licence has been granted a register in Form C and shall, for the purpose of ensuring that not

more than two thousand entries are received for scrutiny for each such competition, take the following steps, that is to say, shall—

- (a) arrange to receive all the entries only at the place of business mentioned in the licence ;
- (b) serially number the entries according to their order of receipt ;
- (c) post the relevant particulars of such entries in the register in Form C as and when the entries are received and in any case not later than the close of business on each day ; and
- (d) accept for scrutiny only the first two thousand entries as they appear in the register in Form C and ignore the remaining entries, if any, in cases where no entry fee is charged and refund the entry fee received in respect of the entries in excess of the first two thousand to the respective senders thereof in cases where an entry fee has been charged after deducting the cost (if any) of refund.

13. Keeping books of accounts.—The accounts referred to in section 7 of the Act shall be maintained according to the following provisions, namely :—

- (a) there shall be a cash book in Form D and all transactions relating to each prize competition shall be entered in the appropriate sections of the cash book ;
- (b) the cash book, both on the receipt side and on the expenditure side, shall be written up day by day, and at the end of each day's transaction the total of receipt and expenditure for the day and the progressive total receipts and expenditure since the commencement of the prize competition to which the entries relate, shall be struck ; and
- (c) at the close of each prize competition an abstract of the total receipts and expenditure on account thereof, including the expenditure on the award of prizes shall be exhibited in the cash book itself ; and where prizes are awarded to competitors who have submitted free entry coupons, the fact shall be clearly stated and full particulars of such successful competitors shall be clearly and separately shown in the cash book.

14. Furnishing statement of accounts.—Every licensee shall, within 15 days of the close of each month, submit to the licensing authority a return in Form E of the total sum received

and the total expenditure incurred by such licensee during the month.

15. Production of register and cash book for inspection.—Every licensee shall make available for the inspection of the licensing authority or such officer as that authority may nominate in this behalf, at all reasonable times and on demand, the register in Form C, the cash book in Form D and all vouchers and such other papers as may have a bearing on the conduct of the prize competition.

16. Committee to scrutinise prize competitions.—(1) As soon as may be after a licence has been granted, the licensing authority shall constitute a committee for the purpose of scrutinising the conduct and result of each prize competition that may be promoted under the licence.

(2) The committee shall consist of a chairman who shall be the licensing authority or any officer of the State Government nominated by the licensing authority and not more than five other members of whom the licensee shall be one and the rest shall be non-officials of standing in the local area concerned, to be appointed by the licensing authority

FORM A

(See Rule 3)

Application for the grant or renewal of a licence under the Prize Competitions Act, 1955 (42 of 1955)

The replies to be written in this column.

- 1 Full name and address of the applicant.
- 2 Place of business
- *3 Particulars of the Prize competition (or competitions) for which licence/renewal of licence is applied for, including the entry fee (if any) to be charged, the value of the prize or prizes to be offered and how the entries will be scrutinised and the prize winning competitors selected.

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4 Whether the applicant had applied for a licence before and, if so, with what results ?

5 Any further particulars which the applicant may like to furnish.

Date of application

Signature of the applicant.

*Explanation : The applicant shall furnish with the application a specimen entry form and any other literature proposed to be issued in connection with the prize competition.

FORM B

(See Rule 4)

Licence for the promotion and conduct of a Prize Competition (or Competitions) under sub-section (2) of section 6 of the Prize Competitions Act, 1955 (Act 42 of 1955).

Licence No.

Name of Licensee.....

Address.....

Situation and place of business.....

Town or village (Name of street and number of premises in the case of a town)..... Tehsil.....

District is hereby granted a licence subject to the provisions of the Prize Competitions Act, 1955 (hereinafter called "the Act") and the rules thereunder for promotion of the prize competition (or competitions) described in the schedule annexed to this licence, for the period from..... 19..... to..... 19....., both days inclusive, subject to the conditions hereinafter, mentioned, namely:—

CONDITIONS

1. The licensee shall afford all facilities for the checking of his accounts and shall, at all reasonable times produce for inspection accounts or other documents and shall furnish fully and correctly any information in his possession as may be required for the purposes of the Act by the

Licensing Authority or any officer authorised by the Licensing Authority in this behalf.

2. The licensee shall not vary the details of the competition entrance fee and the prizes stated in respect thereof in the Schedule hereto annexed without the previous permission of the Licensing Authority.

3. The licensee shall state in a prominent place in every publication, ticket or coupon issued in connection with the prize competition (s) that he has obtained such licence and shall also specify in such publication, ticket or coupon the number and date of the licence.

4. The licensee shall not entertain more than two entries from any one competitor and in every prize competition the total number of entries shall not exceed two thousand.

5. In any competition—

- (i) fees payable in respect of all entries offered or allowed by the licensee shall be at uniform rates;
- (ii) the licensee shall not give any rebate or offer any concession whatsoever to any class of competitors;
- (iii) the licensee shall not allow any bonus in any form in addition to the prize or prizes to be given to any competitor;
- (iv) the licensee shall not allow any remuneration, award or prize to any agent for the collection of solutions of competitors.

6. If the licence is suspended or cancelled for any reason, the licensee shall not be entitled to any compensation for such suspension or cancellation or to the refund of any fee paid in respect thereof.

Dated this... day of.....19.....

Seal of the
Licensing
Authority.

Signature of the Licensing Authority.

Designation.

FORM C

(See Rule 12)

Name of the licensee.....
 Address at which entries are to be received.....
 Number of licence.....
 Nature and description of the Prize competition.....
 Prize or Prizes offered for the competition.....
 Amount of Entry fee

| Serial No. | Name and address of the competitor | Date of receipt of the entry | Whether received by post or by hand | Is the entry free? If not, the amount of fee received |
|------------|------------------------------------|------------------------------|-------------------------------------|---|
| 1 | 2 | 3 | 4 | 5 |
| | | | | |

FORM D

(See Rule 13)

1. Name and address of the licensee.....
2. Place of business.....
3. Number of licence.....
4. Nature and description of the prize competition.....
5. Prizes offered.....

Receipts

Expenditure

| Date | Name of competitor | S. No. of the entry in the Register in Form 'C' | Amount of entry fee received | Date | To whom paid | Purpose | Amount |
|------|--------------------|---|------------------------------|------|--------------|---------|--------|
| | | | | | | | |

Total for the day

Total for the day

Progressive total
 (from the commencement of the competition)

Progressive total
 (from the commencement of the competition)

FORM E

(See Rule 14)

Name and address of the licensee.....

Place of Business

Number of Licence.....

Nature and description of the Prize Competition.....

Prizes offered.....

| Month | Total No. of coupons received | Total No. of free entry coupons | Total sum received in respect of such compe- tition | Expendi- ture | Remarks |
|-------|-------------------------------------|---------------------------------------|---|------------------|---------|
|-------|-------------------------------------|---------------------------------------|---|------------------|---------|

I do hereby declare that I have compared the above particulars with my Register in Form 'C' and the Cash Book in Form 'D' and they are, in so far as I can ascertain, accurate and complete.

Dated this.....day of.....19.....

Signature of the licensee.

SHIV SINGH, P.C.S.,
Asstt. Secretary (Home).